FEDERAL REGISTER

VOLUME 2 NUMBER 14

Washington, Friday, January 22, 1937

PRESIDENT OF THE UNITED STATES.

EXECUTIVE ORDER

ENLARGING THE DELTA MIGRATORY WATERFOWL REFUGE

Louisiana

By virtue of and pursuant to the authority vested in me as President of the United States and in order to effectuate further the purposes of the Migratory Bird Conservation Act (45 Stat. 1222), it is ordered that the following-described lands, comprising 2,926.87 acres, more or less, in Plaquemines Parish, Louisiana, be, and they are hereby, reserved and set apart, subject to valid existing rights, for the use of the Department of Agriculture as an addition to the Delta Migratory Waterfowl Refuge, established by Executive Order No. 7229 of November 19, 1935:

ST. HELENA MERIDIAN

T. 21 S., R. 19 E.,
radial secs. 22 to 26, inclusive;
radial secs. 30 to 32, inclusive;
radial secs. 36, 39, 42, 44, 46, 47, 50, 51, and 52.
T. 22 S., R. 19 E.,
radial secs. 2, 4, 6, 8, and 9.

The above-described lands are under the primary jurisdiction of the War Department, and their reservation for waterfowl-refuge purposes is subject to use by the War Department in connection with the improvement of navigation in the Mississippi River and the uses thereof, and the administration of the area for wildlife conservation purposes by the Department of Agriculture shall be without interference with any existing or future uses or regulations of the War Department.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
January 19, 1937.

[No. 7538]

[F. R. Doc. 37–194; Filed, January 21, 1937; 11:46 a. m.]

EXECUTIVE ORDER

PARTIAL REVOCATION OF EXECUTIVE ORDER NO. 4914 OF JUNE 23, 1928, WITHDRAWING PUBLIC LANDS

Wyoming

By virtue of and pursuant to the authority vested in me by the act of June 25, 1910, ch. 421, 36 Stat. 847, as amended by the act of August 24, 1912, ch. 369, 37 Stat. 497, Executive Order No. 4914 of June 23, 1928, withdrawing, together with other lands, public lands in Tps. 23 and 24 N., R. 98 W., and secs. 1 to 28, inclusive, T. 23 N., R. 99 W. of the sixth principal meridian, Wyoming, pending a resurvey, is hereby revoked as to said townships.

This order shall become effective upon the date of the official filing of the plats of resurvey of said townships.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
January 19, 1937.

[No. 7539]

[F. R. Doc. 37–195; Filed, January 21, 1937; 11:46 a. m.]

TREASURY DEPARTMENT.

Office of the Secretary.

[1937—Department Circular No. 1]

VALUES OF FOREIGN MONEYS

JANUARY 1, 1937.

Pursuant to Section 522, Title IV, of the Tariff Act of 1930, reenacting Section 25 of the act of August 27, 1894, as amended, the following estimates[1] by the Director of the Mint of the values of foreign monetary units are hereby proclaimed to be the values of such units in terms of the money of account of the United States that are to be followed in estimating the value of all foreign merchandise exported to the United States during the quarter beginning January 1, 1937, expressed in any such foreign monetary units: *Provided, however,* That if no such value has been proclaimed, or if the value so proclaimed varies by five per centum or more from a value measured by the buying rate in the New York market at noon on the day of exportation, conversion shall be made at a value measured by such buying rate, as determined and certified by the Federal Reserve Bank of New York and published by the Secretary of the Treasury pursuant to the provisions of Section 522, Title IV, of the Tariff Act of 1930.

[SEAL] WAYNE C. TAYLOR,
Acting Secretary of the Treasury.

[F. R. Doc. 37–190; Filed, January 19, 1937; 2:33 p. m.]

DEPARTMENT OF THE INTERIOR.

Division of Grazing.

NEW MEXICO GRAZING DISTRICT NO. 41

MODIFICATION

JANUARY 13, 1937.

Under and pursuant to the provisions of the act of June 28, 1934 (48 Stat. 1269), as amended by the act of June 26, 1936 (49 Stat. 1976), Departmental order of April 8, 1935,

[1] See Page 143.

FEDERAL REGISTER

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establishing New Mexico Grazing District No. 4, is hereby revoked so far as it affects the following described lands:

NEW MEXICO MERIDIAN

T. 1 N., R. 4 E., exclusive of Sevilleta Grant.
T. 2 N., R. 4 E., exclusive of Sevilleta and Casa Colorado Grants.
T. 1 N., R. 5 E., secs. 4, 5, 6, 7, 8, 9, 17, 18.
T. 2 N., R. 5 E., secs. 4 to 9, 15 to 22, and 27 to 34 inclusive.
T. 3 N., R. 5 E., secs. 30, 31, 32, 33.
T. 4 S., R. 11 E.
T. 5 S., R. 11 E.
T. 6 S., R. 11 E., secs. 3 to 9, 16 to 21, and 25 to 36 inclusive.
T. 7 S., R. 11 E., secs. 1 to 11, 14 to 23, and 26 to 36 inclusive.
T. 8 S., R. 11 E., secs. 1 to 32 inclusive, N½ secs. 33 to 36 inclusive.
T. 9 S., R. 11 E., secs. 5, 6, 7, 18.
T. 6 S., R. 12 E., secs. 25 and 36.
T. 7 S., R. 12 E., sec. 36.
T. 8 S., R. 12 E.
T. 9 S., R. 12 E., secs. 1 and 2.

HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 37–192; Filed, January 21, 1937; 10:20 a. m.]

FEDERAL HOME LOAN BANK BOARD.

Home Owners' Loan Corporation.

[Manual Amendment]

EXPENSES IN LOAN SERVICE OPERATIONS

Be it resolved, That pursuant to the authority vested in the Board by Home Owners' Loan Act of 1933 (48 Stat. 128, 129) as amended by Sections 1 and 13 of the Act of April 27, 1934 (48 Stat. 643–647) and particularly by Sections 4–a and 4–k of said Act as amended, Chapter II of the Consolidated Manual is hereby amended by adding thereto a section which shall be appropriately numbered and read as follows:

The General Manager may, except as otherwise expressly provided by the Board, incur and approve the amount and payment of any expenses incident to the performance of any duty or function of the Loan Service Division in connection with the investigation, preparation, and processing of applications for releases, waivers, consents, subordination agreements, substitution of security, division of indebtedness and security, and extensions of time for the making of payments to the Corporation; offers of additional security; cases involving the acquisition of property covered by the Corporation's lien, or any part thereof, by eminent domain; cases where the land or improvements covered by the Corporation's lien have been damaged or destroyed by fire, flood, windstorm, landslide, or other hazard where the loss is not covered by insurance; and cases apparently insoluble in which foreclosure or the acceptance of a voluntary conveyance is contemplated. Such officers, respectively, may determine, with the advice of the General Counsel, whether any expenses not paid by the home owner shall be charged to the home owner's account or to Corporation expense. All sums not exceeding $50.00 for these purposes shall be advanced or paid from such funds as the Comptroller may direct, in accordance with established Corporation policy. Any legal fees and expenses shall be incurred, approved and paid in the manner provided in Chapter VI of the Manual.

In cases where it appears to them to be for the best interests of the Corporation, the General Manager is likewise authorized to waive the requirement that funds for appraisal, credit report, or other expense in connection with loan service operations be deposited in advance or paid by the home owner upon consummation of such transaction.

Any Regional, State, or District Manager, with the advice or approval of Regional, State, or District Counsel, as may be required, may exercise the authority herein granted, under procedure and limitations prescribed and promulgated by the General Manager with the approval of the General Counsel; and

Be it further resolved, That the provisions of this resolution shall become effective twenty (20) days after this date, exclusive of Sundays and holidays.

Adopted by the Federal Home Loan Bank Board on January 19, 1937.

[SEAL] R. L. NAGLE, *Secretary.*

[F. R. Doc. 37–191; Filed, January 19, 1937; 4:17 p. m.]

VALUES OF FOREIGN MONETARY UNITS (AT PAR AS REGARDS GOLD UNITS; NONGOLD UNITS HAVE NO FIXED PAR WITH GOLD)

COUNTRY	Monetary unit	Valne in terms of U. S. money	Remarks
Argentine Repnblic	Peso	$1.6335	Paper nominally convertible at 44% of face value. Conversion suspended Dec. 16, 1929.
Australia	Pound Sterling	8.2397	Control of gold stocks and exports authorized Dec. 17, 1929.
Austria	Schilling	.2382	Exchange control established Oct. 9, 1931.
Belgium	Belga	.1695	Based on decree of Mar. 31, 1935. 1 belga equals 5 Belgian francs.
Bolivia	Boliviano	.6180	Conversion of notes into gold suspended Sept. 23, 1931.
Brazil	Milreis	.0861	Based upon official rate for milreis in terms of the dollar as announced by the Bank of Brazil. Conversion of Stabilization-Office notes into gold suspended Nov. 22, 1930.
British Honduras	Dollar	1.6931	Conversion of notes suspended.
Bulgaria	Lev	.0122	Exchange control established Oct. 15, 1931.
Canada	Dollar	1.6931	Embargo on export of gold, Oct. 19, 1931; redemption of Dominion notes in gold suspended Apr. 10, 1933.
Chile	Peso	.2060	Conversion of notes suspended July 30, 1931.
China	Yuan	----------	Silver standard abandoned by decree of Nov. 3, 1935; bank notes made legal tender under Currency Board control; exchange rate for British currency primarily fixed at about 1 s. 2⅛ d., or about 29½¢ U. S., per yuan.
Hong Kong	Dollar	----------	Treasury notes and notes of the three banks of issue made legal tender by silver nationalization ordinance of Dec. 5, 1935; exchange fund created to control exchange rate.
Colombia	Peso	1.6479	Obligation to sell gold suspended Sept. 24, 1931.
Costa Rica	Colon	.7879	Conversion of notes into gold suspended Sept. 18, 1914; exchange control established Jan. 16, 1932.
Cuba	Peso	1.0000	By law of May 25, 1934.
Czechoslovakia	Koruna	----------	Crown further devalued by law of Oct. 5, 1936, which provided for a fine gold content to be fixed within the limits of 30.21 and 32.21 milligrams of gold.
Denmark	Krone	.4537	Conversion of notes into gold suspended Sept. 29, 1931.
Dominican Repnblic	Dollar	1.6931	U. S. money is principal circulating medium.
Ecuador	Sucre	.3386	Conversion of notes into gold suspended Feb. 9, 1932.
Egypt	Pound (100 piasters)	8.3692	Conversion of notes into gold suspended Sept. 21, 1931.
Estonia	Kroon	.4537	Conversion of notes into gold suspended June 28, 1933.
Finland	Markka	.0426	Conversion of notes into gold suspended Oct. 12, 1931.
France	Franc	----------	Monetary law of Oct. 1, 1936, provided for new gold content of franc to be fixed within the limits of 43 and 49 milligrams of gold .900 fine.
Germany	Reichsmark	.4033	Exchange control established July 13, 1931.
Great Britain	Pound Sterling	8.2397	Obligation to sell gold at legal monetary par suspended Sept. 21, 1931.
Greece	Drachma	.0220	Conversion of notes into gold suspended Apr. 26, 1932.
Guatemala	Quetzal	1.6931	Conversion of notes into gold suspended Mar. 6, 1933.
Haiti	Gourde	.2000	National bank notes redeemable on demand in U. S. dollars.
Honduras	Lempira	.8466	Gold exports prohibited Mar. 27, 1931; lempira circulates as equivalent of half of U. S. dollar.
Hungary	Pengö	.2961	Exchange control established July 17, 1931.
India [British]	Rupee	.6180	Obligation to sell gold at legal monetary par suspended Sept. 21, 1931.
Indo-China	Piaster	.6633	Piaster pegged to French franc at the rate of 1 piaster=10 French francs. Information with regard to the relationship of piaster to franc subsequent to September 25, 1936, not yet available.
Irish Free State	Free State Pound	8.2397	Conversion of notes into gold suspended Sept. 21, 1931.
Italy	Lira	.0526	New gold content of 4.677 grams of fine gold per lira established by monetary law of Oct. 5, 1936.
Japan	Yen	.8440	Embargo on gold exports Dec. 13, 1931.
Latvia	Lat	----------	Currency pegged to sterling Sept. 28, 1936. Former gold content of lat abolished.
Liberia	Dollar	1.6931	British money is principal circulating medium.
Lithuania	Litas	.1693	Free export of gold suspended Oct. 1, 1935.
Mexico	Peso	.8440	By law of July 25, 1931, gold has no legal tender status but it may be held as monetary reserve.
Netherlands and colonies	Guilder (florin)	.6806	Suspension of convertibility of notes into gold and restrictions placed on free gold exports—Sept. 26, 1936.
Newfoundland	Dollar	1.6931	Newfoundland and Canadian notes legal tender.
New Zealand	Pound Sterling	8.2397	Conversion of notes into gold suspended and export of gold restricted, Aug. 5, 1914; exchange regulations Dec. 1931.
Nicaragua	Cordoba	1.6933	Embargo on gold exports Nov. 13, 1931.
Norway	Krone	.4537	Conversion of notes into gold suspended Sept. 29, 1931.
Panama	Balboa	1.6933	U. S. money is principal circulating medium.
Paraguay	Peso (Argentine)	1.6335	Paraguayan paper currency is used; exchange control established June 28, 1932.
Persia (Iran)	Rial	.0824	Obligation to pay out gold deferred Mar. 13, 1932; exchange control established Mar. 1, 1936.
Peru	Sol	.4740	Conversion of notes into gold suspended May 18, 1932.
Philippine Islands	Peso	.5000	By act approved March 16, 1935.
Poland	Zloty	.1899	Exchange control established Apr. 27, 1936.
Portugal	Escudo	.0748	Gold exchange standard suspended Dec. 31, 1931.
Rumania	Leu	.0101	Exchange control established May 18, 1932.
Salvador	Colon	.8466	Conversion of notes into gold suspended Oct. 7, 1931.
Siam	Baht (Tical)	.7491	Conversion of notes into gold suspended May 11, 1932.
Spain	Peseta	.3267	Exchange control established May 18, 1931.
Straits Settlements	Dollar	.9613	British pound sterling and Straits dollar and half dollar legal tender.
Sweden	Krona	.4537	Conversion of notes into gold suspended Sept. 29, 1931.
Switzerland	Franc	----------	Order of Federal Council enacted Sept. 27, 1936, instructed the Swiss National Bank to maintain the gold parity of the franc at a value ranging between 190 and 215 milligrams of fine gold.
Turkey	Piaster	.0744	100 piasters equal to the Turkish £; conversion of notes into gold suspended 1916; exchange control established Feb. 26, 1930.
Union of South Africa	Pound Sterling	8.2397	Conversion of notes into gold suspended Dec. 28, 1932.
Union of Soviet Republics	Chervonetz	8.7123	On Oct. 28, 1936, the Council of People's Commissars issued a decree fixing the value of the ruble in foreign exchanges at four and one-quarter French francs
Uruguay	Peso	1.7511	Conversion of notes into gold suspended Aug. 2, 1914; exchange control established Sept. 7, 1931.
Venezuela	Bolivar	.3267	Premium on foreign currencies established Aug. 29, 1934, by agreement of banks.
Yugoslavia	Dinar	.0298	Exchange control established Oct. 7, 1931.

THIS TABLE ACCOMPANIES F. R. DOC. 37–190, PRINTED ON PAGE 141

INTERSTATE COMMERCE COMMISSION.

Safety Regulations

Rules and Regulations Governing Qualifications of Employees and Safety of Operation and Equipment of Common Carriers and Contract Carriers by Motor Vehicle

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Report of the Commission: [1]
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Rules and regulations:
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Part II, Driving of motor vehicles.
Part III, Parts and accessories necessary for safe operation.
Part IV, Reporting of accidents.
Order of the Commission.

PART I. QUALIFICATIONS OF DRIVERS

Regulations prescribed under authority of the Motor Carrier Act, 1935, particularly section 204 (a), (1) and (2), with respect to qualifications of drivers of motor vehicles operated in interstate or foreign commerce by common and contract carriers, except motor vehicles engaged in operations specified in section 203 (b) of said act. Regulations effective July 1, 1937

1. As used in these regulations—

(*a*) The term "motor vehicle" means any vehicle, machine, tractor, trailer, or semitrailer propelled or drawn by mechanical power and used upon the highways in the transportation of passengers or property, and any combination of such vehicles, but does not include any vehicle, locomotive, or car operated exclusively on a rail or rails.

(*b*) The term "driver" means any individual who drives in interstate or foreign commerce any motor vehicle as defined in paragraph 1 (a) above.

(*c*) Any other term used in these regulations is used in its commonly accepted meaning, except where such other term has been defined in section 203 (a) of the Motor Carrier Act, 1935, in which event the definition therein given shall apply.

2. Every motor carrier shall comply with the following regulations, and shall instruct his or its employees and agents with respect thereto.

3. On and after July 1, 1937, no motor carrier shall drive, or require or permit any person to drive, any motor vehicle operated in interstate or foreign commerce, unless the person so driving possesses the following minimum qualifications:

(*a*) Good physical and mental health.

(*b*) No physical deformity or loss of limb likely to interfere with safe driving.

(*c*) Good eyesight in both eyes (either without glasses, or by correction with glasses), including adequate perception of red and green colors.

(*d*) Adequate hearing.

(*e*) Experience in driving some type of motor vehicle (including private automobiles) for not less than one year, including experience throughout the four seasons.

(*f*) Competency by reason of experience or training to operate safely the type of vehicle or vehicles which he drives.

(*g*) Knowledge of rules and regulations issued by the Commission under the Motor Carrier Act, 1935, pertaining to the driving of motor vehicles.

(*h*) Shall not be addicted to the use of narcotic drugs.

(*i*) Shall neither use, nor be under the influence of, any alcoholic liquor or beverage while on duty, nor otherwise make excessive use thereof.

(*j*) Not less than 21 years of age, unless the person was engaged in so driving on July 1, 1937 or within one year prior thereto, but in no case less than 18 years of age.

(*k*) Ability to read and speak the English language, unless the person was engaged in so driving on July 1, 1937 or within one year prior thereto, but in any case ability to understand traffic and warning signs.

4. Every motor carrier, within 60 days after the effective date of these regulations, or within 20 days after any person not engaged on such date as a driver becomes so engaged for a period longer than three days, shall file with the Commission, for each driver so engaged, the information called for by the "Driver Identification Form" set forth below. The same information is required from each owner-driver.

(NOTE.—*Deposit of "Driver Identification Form" in the United States mail, postage prepaid, addressed to Interstate Commerce Commission, Bureau of Motor Carriers, Washington, D. C., within the period set forth will be deemed a compliance with this regulation. Copies of this form will be supplied to all carriers.*)

Driver Identification Form

Date_____ (Month) _____ (Day) _____ (Year)

(1) Name of driver_____ (Print in full) _____ (First name) _____ (Middle name) _____ (Last name)

(2) Residence_____ (Street and No.) _____ (City or town) _____ (County) _____ (State)

(3) Date of birth_____ (Month) _____ (Day) _____ (Year)

_____ (Sex) _____ (Race) _____ (Height) _____ (Weight)

_____ (Color of hair) _____ (Color of eyes)

(4) Has driven motor vehicles since_____ (Year)

(5) Miles (approximately) driven: Passenger cars_____
Trucks up to and including 1½ tons capacity_____
Trucks over 1½ tons capacity_____ Trailer combinations_____
Taxicabs_____ Buses_____

(6) State or States in which now licensed:

State	As chauffeur or operator (State which)	License number	Date of expiration

(7) Date of last medical examination, if any, in connection with employment as a driver_____

Signature of driver_____

(If driver is an employee, the following information must be supplied by employing carrier:)

The driver whose name and description are given above has been employed by me/us since_____ (Month) _____ (Day) _____ (Year)

Name of motor carrier_____

Address_____ (Street and No.) _____ (City) _____ (State)

Signature of reporting official_____

Title_____

PART II. DRIVING OF MOTOR VEHICLES

Regulations prescribed under authority of the Motor Carrier Act, 1935, particularly section 204 (a), (1) and (2), with respect to the driving of motor vehicles operated in interstate or foreign commerce by common and contract carriers, except motor vehicles engaged in operations specified in section 203 (b) of said act. Regulations effective July 1, 1937

1. As used in these regulations—

(*a*) The term "motor vehicle" means any vehicle, machine, tractor, trailer, or semitrailer propelled or drawn by mechanical power and used upon the highways in the transportation of passengers or property, and any combination of such vehicles, but does not include any vehicle, locomotive, or car operated exclusively on a rail or rails.

(*b*) The term "vehicle" means any vehicle or combination of vehicles of any type whatsoever operated upon the highways.

(*c*) The term "driver" means any individual who drives in interstate or foreign commerce any motor vehicle as defined in paragraph 1 (a) above.

(*d*) Any other term used in these regulations is used in its commonly accepted meaning, except where such other term has been defined in section 203 (a) of the Motor Car-

[1] The Report of the Commission was a part of the document filed with the Division of the Federal Register; copies are available upon application to the Interstate Commerce Commission.

rier Act, 1935, in which event the definition therein given shall apply.

2. Nothing contained in these regulations shall be construed as prohibiting any motor carrier from enforcing additional rules and regulations relating to safety of operation, not inconsistent with these regulations, tending to a greater degree of precaution against accidents.

3. Every motor carrier and his or its officers, agents, employees, and representatives shall comply with the following regulations, and every such motor carrier shall require that his or its officers, agents, employees, and representatives shall become conversant with these regulations.

Reckless Driving

4. No motor vehicle shall be driven recklessly, or so as to endanger life, limb, or property.

5. No motor vehicle shall be driven by any driver while his ability or alertness is so impaired through fatigue, illness, or any other cause as to make it unsafe for him to drive or to continue to drive a motor vehicle, nor shall he be required or knowingly be permitted to drive while in such condition, except in case of grave emergency where the hazard to passengers would be increased by observance of the foregoing provisions.

6. No driver shall go on duty while under the influence of, nor drink while on duty, any alcoholic liquor or beverage; nor shall he knowingly be permitted so to do.

Speed

7. No motor vehicle shall be driven at a speed greater than is reasonable and prudent, having due regard to weather, traffic, intersections, width and character of the roadway, type of motor vehicle, and any other conditions then existing; but in no event shall a motor vehicle be driven in or through any State, legal subdivision thereof, or the District of Columbia at a speed greater than that permitted by such State, legal subdivision thereof, or the District of Columbia.

Before Driving

8. No motor vehicle shall be driven unless the driver thereof shall have satisfied himself that the following required parts and accessories are in good working order:

Lighting devices and reflectors.
Brakes, both service and hand.
Horn.
Windshield wiper.
Rear vision mirror.
Tires.
Steering mechanism.
Coupling devices.

9. No motor vehicle shall be driven unless the following required accessories are in place and ready for immediate use in case of emergency:

(*a*) On every bus, truck, or truck tractor—

At least one fire extinguisher.
One red lantern, when projecting loads are carried.
One red-cloth flag, when projecting loads are carried.

(*b*) On every bus, truck, or truck tractor operating outside the corporate limits of municipalities—

All items listed under (*a*) above, and in addition:
At least one spare electric bulb for each kind of electric lamp where such electric lamp is used for any of the lighting devices required by these regulations.
One set of tire chains (for all vehicles likely to encounter conditions requiring them).
At least three flares (pot torches) or red electric lanterns, unless motor vehicle is operated solely on streets or highways which are artificially lighted at night.
At least three fuses (if flares are used as warning signals), unless motor vehicle is operated solely on streets or highways which are artificially lighted at night.
At least two red-cloth flags with standards.

(*c*) On every bus having a seating capacity of 10 or more persons, and operating outside the corporate limits of municipalities:

All items listed under (*a*) and (*b*) above, and in addition:
One metal first-aid kit.
One hand axe.

10. No. motor vehicle shall be driven unless the driver thereof shall have satisfied himself that the tailboard or tailgate, tarpaulins, chains (except ground or contact chains), ropes, stakes, poles, and the like, or any part of the load, are securely fastened to prevent dangling, flapping, swinging, or falling from side, end, or top of load.

11. No motor vehicle which is stopped, standing, or parked shall be set in motion until due caution has been taken to ascertain that the course is clear.

Driving

12. Every motor vehicle shall be driven as far to the right side of the traveled portion of the highway as is practicable.

13. Sufficient space shall be maintained, whenever conditions permit, between vehicles proceeding in the same direction so that an overtaking vehicle may enter and occupy such space without danger. Motor vehicles proceeding in convoy shall maintain, so far as possible, a distance of at least 300 feet between units of the convoy. This rule shall not be construed to prevent overtaking and passing another vehicle.

14. Every motor vehicle transporting passengers, high explosives, or poisonous or compressed inflammable gases, and every motor vehicle used for the transportation of inflammable or corrosive liquids in bulk, whether loaded or empty, shall, upon approaching any railroad grade crossing, be brought to a full stop within 50 feet, but not less than 10 feet, from the nearest rail of such railroad grade crossing, and shall not proceed until due caution has been taken to ascertain that the course is clear; provided, however, that such full stop shall not be required at a street-car crossing within a business or residence district, nor at a railroad grade crossing protected by a watchman or traffic officer on duty or by a traffic-control "stop and go" signal (not railroad flashing signal) giving positive indication to approaching vehicles to proceed. Any other motor vehicle shall, upon approaching a railroad grade crossing, reduce speed to a rate that shall enable a stop to be made before reaching the nearest rail of such crossing and shall proceed to cross only after due caution has been taken to ascertain that the course is clear. In all cases, crossing shall be made only in such gear that there shall be no necessity for changing gears while traversing such crossing. Nothing contained in this paragraph shall be so construed as to relieve the driver of the responsibility in any case of exercising due caution to ascertain that the course is clear before proceeding over such crossings.

15. Every motor vehicle transporting passengers shall, upon approaching any drawbridge, known or marked as such, be brought to a full stop, not less than 50 feet from the lip of the draw, and shall not proceed unless the draw is closed; provided, however, that such full stop shall not be required at any drawbridge protected by a watchman or traffic officer on duty, or by a traffic control "stop and go" signal giving positive indication to approaching vehicles to proceed. Any other motor vehicle upon approaching any drawbridge shall be driven at such speed as to permit it to be stopped before reaching the lip of the draw and shall proceed only if the draw is closed. Nothing contained in this paragraph shall be so construed as to relieve the driver of the responsibility in any case of exercising due caution to ascertain that the draw is closed.

16. Except in case of emergency, no motor vehicle shall be stopped, its speed suddenly decreased, nor its course or direction changed, unless the driver thereof shall have exercised due caution to ascertain that such acts can be performed without endangering other users of the highway.

17. Upon all highways any right turn shall be made from a position which is as close as practicable to the extreme

right side of the traveled portion of the highway. Upon two-way highways any left turn shall be made from a position which is as close as practicable to the center of the traveled portion of the highway. Upon one-way highways and upon highways on which the opposing streams of traffic are separated by a dividing strip or zone, any left turn shall be made from a position which is as close as practicable to the extreme left side of the traveled portion of such highways. In all cases turns shall be made with due caution, having due regard to the length of the motor vehicle and any load thereon, the width of the roadway, and other traffic. Before making any turn the motor vehicle shall be driven into the proper lane well in advance of the intersection.

18. No motor vehicle shall be driven past a vehicle or vehicles proceeding in the same direction, unless there is ample visible space ahead to do so without endangering any other user of the highway; if necessary, an audible signal of intention to pass shall be sounded. After passing, the motor vehicle shall not be returned to the right side of the roadway until safely clear of the overtaken vehicle or vehicles.

19. The speed of a motor vehicle shall not be increased to prevent being overtaken by another vehicle attempting to pass.

20. No motor vehicle shall be driven upon a down grade with gears in neutral or clutch disengaged.

21. Any motor vehicle when meeting or overtaking any school or other bus discharging or taking on passengers shall proceed with extreme caution and only if the course ahead is known to be clear.

Stopping

22. No motor vehicle shall be stopped, parked, or left standing, whether attended or unattended, upon the traveled portion of any highway outside of a business or residence district, when it is practicable to stop, park, or leave the motor vehicle off the traveled portion of such highway. When conditions make it impracticable to move the motor vehicle from the traveled portion of the highway, every effort shall be made to leave all possible width of the highway opposite such standing motor vehicle for the free passage of other vehicles, and care taken to provide a clear view of such stopped motor vehicle as far as possible to the front and rear.

23. Whenever any motor vehicle is disabled upon the traveled portion of any highway or shoulder next thereto, except within the corporate limits of municipalities or upon streets or highways which are artificially lighted at night, the following requirements shall be complied with during the period of such disablement:

(*a*) During the time that lights are required (see paragraph 25), except as provided in subparagraphs (b) and (c) hereof, a lighted fusee shall be immediately placed on the roadway at the traffic side of the motor vehicle; as soon thereafter as possible and in any case within the burning period of the fusee, three lighted flares (pot torches) shall be placed on the roadway, as follows: One in the center of the lane of traffic occupied by the disabled motor vehicle and not less than 40 paces (approximately 100 feet) distant therefrom in the direction of traffic approaching in that lane, one not less than 40 paces (approximately 100 feet) from such vehicle in the opposite direction, and one at the traffic side of such vehicle, not closer than 10 feet from the front or rear thereof; provided, however, that if the motor vehicle is disabled within 300 feet of a curve, crest of a hill, or other obstruction to view, the flare in that direction shall be so placed as to afford ample warning to other users of the highway, but in no case less than 40 paces (approximately 100 feet) nor more than 120 paces (approximately 300 feet) from the disabled vehicle.

(*b*) For every motor vehicle used for the transportation of inflammable liquids in bulk, whether loaded or empty, and for every motor vehicle transporting compressed inflammable gases, the use of flares (pot torches), fusees, or any signal produced by a flame is prohibited, and red electric lanterns shall be used in lieu thereof. One of the said red electric lanterns shall be immediately placed on the roadway at the traffic side of the motor vehicle and immediately thereafter the two other red electric lanterns shall be placed to the front and rear of the motor vehicle in the same manner prescribed in subparagraph (a) above for flares.

(*c*) During such time as lights are not required, red flags shall be used in place of flares or electric lanterns as specified in subparagraphs (a) and (b) above, except that no flag shall be required to be placed at the side of the vehicle; provided, however, that if such disablement continues into the period when lights are required, flares or red electric lanterns shall be placed as above set forth.

24. No motor vehicle shall be left unattended until after the parking (hand) brake has been securely set and all other reasonable precautions have been taken to prevent its movement while unattended.

Lights

25. On every motor vehicle operated upon the highways, all lamps required by the regulations of the Commission shall be lighted during the period from one-half hour after sunset to one-half hour before sunrise, and at any other time when there is not sufficient light to render clearly discernible persons and vehicles on the highway at a distance of 500 feet ahead, except as provided in paragraph 29, and except that within the confines of municipalities where there is sufficient light to render clearly discernible persons and vehicles upon the highway at a distance of 500 feet ahead, clearance and side-marker lights shall not be required to be displayed; provided, however, that while any motor vehicle is stopped upon the highway, the headlights shall be dimmed or depressed.

26. When a motor vehicle is equipped with more than four lamps of the character of head lamps, auxiliary road-lighting lamps, or spot lamps, not more than four such lamps shall be lighted at any one time.

27. Whenever the road-lighting equipment on a motor vehicle is so arranged that the driver may select at will between two or more distributions of light from head lamps or auxiliary road-lighting lamps or combinations thereof, directed to different elevations, the following requirements shall apply while driving during the times when lights are required:

(*a*) When there is no oncoming vehicle within 500 feet, the driver shall use an upper distribution of light; provided, however, that a lower distribution of light may be used when fog, dust, or other atmospheric conditions make it desirable for reasons of safety, and when within the confines of municipalities where there is sufficient light to render clearly discernible persons and vehicles on the highway at a distance of 500 feet ahead, and when following another vehicle within 500 feet.

(*b*) When within 500 feet of an oncoming vehicle, the driver shall use a distribution of light so aimed that the glaring rays therefrom are not directed into the eyes of the oncoming driver.

28. At no time while driving during the times when lights are required shall any distribution of light be used which will not reveal a person or vehicle at a distance of at least 100 feet ahead under normal atmospheric conditions; provided, however, that dimmed headlights may be used in fog when they tend to promote safety.

29. Whenever motor vehicles are operated in combination during the time that lights are required, any lamp (except tail lamps) need not be lighted which, by reason of its location on a motor vehicle of the combination, would be obscured by another vehicle of the combination; provided, however, that nothing contained in this paragraph shall be construed to relieve from the requirement of displaying lighted clearance lamps on the front of the foremost motor vehicle required to have such clearance lamps, nor of displaying all lights required on the rear of the rearmost motor vehicle of any combination of motor vehicles.

30. In using a spot light, upon approaching another vehicle, it shall be so aimed that no part of the high-intensity portion of the beam therefrom is directed beyond the left side of the motor vehicle upon which the spot lamp is mounted, nor more than 100 feet ahead of such motor vehicle.

Hazardous Conditions

31. Extreme caution in the operation of motor vehicles shall be exercised under hazardous conditions, such as snow, ice, sleet, fog, mist, rain, dust, smoke, or any other condition which adversely affects visibility or traction, and speed shall be reduced accordingly.

In Case of Accident

32. The driver of any motor vehicle involved in an accident resulting in death, personal injury, or property damage, shall forthwith stop at the scene of the accident and remain there until he shall have (*a*) rendered all possible assistance to injured persons; and (*b*) given to any person demanding the same his name and address, the name and address of his employer, if any, and his vehicle registration number. He shall take all reasonable precautions to prevent further accidents at the scene. As soon as possible after the accident the driver (if not himself a motor carrier) shall report all details of the accident to his employer or supervisory official.

Miscellaneous

33. No motor vehicle shall be fueled or be permitted to be fueled with engine running, or in the presence of any open flame. Care shall be exercised to prevent the ignition of fuel by lighted cigars, cigarets, pipes, or other sources of ignition. The nozzle of the fuel hose shall be in contact with the intake of the fuel tank throughout the fueling process. No passenger-carrying motor vehicle shall be fueled in a closed building with passengers aboard. No reserve supply of gasoline shall be carried on any motor vehicle except in the main fuel tank or in a properly constructed and mounted auxiliary tank.

34. No motor vehicle shall be so loaded as to obscure the driver's view ahead or to either side, or to interfere with the free movement of his arms or legs, or to prevent his free and ready access to the accessories required for emergencies.

35. During the time when lights are required to be displayed, there shall be attached to the rearmost extremity of any load which projects 4 feet or more beyond the rear of the body of the motor vehicle, or to any tailboard or tailgate so projecting, or to the rearmost extremity of any load carried on a pole trailer, at least one red lantern securely fastened thereto, which will be visible from a distance of at least 500 feet to the sides and rear under normal atmospheric conditions. At all other times a red-cloth flag shall be so displayed.

36. No motor vehicle shall be operated with the tailboard or tailgate in such position as to obscure any of the required rear lights or reflectors.

37. No person, except the carrier, employees of the carrier, representatives of the shipper when their presence is necessary for the safe care of livestock or perishable cargo, representatives of the Commission, or public officials in the proper performance of their duties, shall be transported upon any motor vehicle not designed and used for the transportation of passengers; provided, however, that each person permitted by this paragraph to be transported upon such motor vehicle, except those engaged in the actual operation of the motor vehicle, shall have printed or written authority therefor from the carrier; and provided further, that nothing contained in this paragraph shall be so construed as to prohibit the carrying of any person in case of an accident, or in other emergencies.

PART III. PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION

Regulations prescribed under authority of the Motor Carrier Act, 1935, particularly section 204 (a), (1) and (2), with respect to parts and accessories on motor vehicles operated in interstate or foreign commerce by common and contract carriers, except motor vehicles engaged in operations specified in section 203 (b) of said act. Regulations effective July 1, 1937

1. As used in these regulations—

(*a*) The term "motor vehicle" means any vehicle, machine, tractor, trailer, or semitrailer propelled or drawn by mechanical power and used upon the highways in the transportation of passengers or property, and any combination of such vehicles, but does not include any vehicle, locomotive, or car operated exclusively on a rail or rails.

(*b*) The term "bus" means any motor vehicle designed and used for the carrying of passengers.

(*c*) The term "truck" means any motor vehicle designed and used exclusively for the carrying of property.

(*d*) The term "truck tractor" means any motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

(*e*) The term "semitrailer" means any vehicle other than a "pole trailer", without motive power and designed to be drawn by another vehicle and so constructed that some part of its weight and that of its load rests upon, or is carried by, the towing vehicle.

(*f*) The term "full trailer" means any vehicle, other than a "pole trailer", without motive power, designed to be drawn by another vehicle and so constructed that no part of its weight rests upon the towing vehicle.

(*g*) The term "pole trailer" means any vehicle without motive power, possibly of variable wheel base, designed to be drawn by another vehicle, and attached to the towing vehicle by means of a "reach", or "pole", or by being "boomed" or otherwise secured to the towing vehicle, and ordinarily used for transporting long or irregular-shaped loads such as poles, pipes, or structural members capable, generally, of sustaining themselves as beams between the supporting connections.

(*h*) The term "gross weight" means the weight of the motor vehicle without load plus the weight of any load thereon.

(*i*) Any other term used in these regulations is used in its commonly accepted meaning, except where such other term has been defined in section 203 (a) of the Motor Carrier Act, 1935, in which event the definition therein given shall apply.

2. Nothing contained in these regulations shall be construed to prohibit the use of additional parts and accessories, not inconsistent with these regulations, tending to increase the safety of operation of motor vehicles, and to prevent accidents.

3. Every motor carrier shall comply with the following regulations.

4. On and after July 1, 1937, every motor vehicle, according to its type and classification, shall be equipped as prescribed hereinafter in Sections A to D, inclusive:

Section A. Lighting Devices and Reflectors

(1) (*a*) On every bus or truck, whatever its size, there shall be the following lighting devices and reflectors:

On the front, two head lamps, one at each side.
On each side, one reflector, at or near the rear.
On the rear, one tail lamp, one stop light, and two reflectors, one at each side.
(See diagram A.)

(*b*) On every bus or truck 80 inches or more in over-all width or 30 feet or more in over-all length, there shall be, according to its dimensions, the following lighting devices and reflectors in addition to those required by subparagraph (a) above:

If 80 inches or more in over-all width and less than 30 feet in over-all length—

On the front, two clearance lamps, one at each side.
On the rear, two clearance lamps, one at each side.
(See diagram B.)

If 30 feet or more in over-all length—

On the front, two clearance lamps, one at each side.
On each side, two side-marker lamps, one at or near the front, and one at or near the rear, and one reflector, at or near the front.
On the rear, two clearance lamps, one at each side.
(See diagram C.)

(*c*) On every truck tractor, there shall be the following lighting devices and reflectors:

On the front, two head lamps, one at each side; two clearance lamps, one at each side, if tractor cab is as wide as, or wider than, the widest part of any vehicle or vehicles being towed.
On each side, one side-marker lamp located at or near the front.
On the rear, one tail lamp.
(See diagrams D (1) and (2).)

(*d*) On every semitrailer or full trailer having a gross weight in excess of 3,000 pounds there shall be the following lighting devices and reflectors:

On the front, two clearance lamps, one at each side, if the trailer is wider in its widest part than the cab of the truck tractor towing it.
On each side, one side-marker lamp located at or near the rear; two reflectors, one at or near the front, and one at or near the rear.
On the rear, two clearance lamps, one at each side; one stop light; one tail lamp; and two reflectors, one at each side.
(See diagrams E (1) and (2).)

(*e*) On every pole trailer having a gross weight in excess of 3,000 pounds there shall be carried at each side one side-marker lamp and one clearance lamp; on the rear, one tail lamp; and on the rear of the pole trailer or load, two reflectors, one at each side. (See diagram F.)

(*f*) On the rear of every full trailer, semitrailer, or pole trailer having a gross weight of 3,000 pounds or less, there shall be one tail lamp and two reflectors, one at each side. If such semitrailer or full trailer is so loaded or is of such dimensions as to obscure the stop light on the towing vehicle, it shall also be equipped with one stop light. (See diagram G.)

(2) No lighting device of the character of head lamps, auxiliary road-lighting lamps, or spot lamps mounted on the front of any motor vehicle shall, when lighted, display any other color than white, yellow, or amber.

No red lighting device of any character shall be mounted on the front of any motor vehicle.

All lighting devices mounted on the rear of any motor vehicle shall display a red light, except the stop light, the color of which may be red, amber, or yellow.

(3) Front clearance lamps shall display an amber color when lighted; provided, however, that clearance lamps in present equipment otherwise complying with these regulations may display a green color until replacements are made.

Rear clearance lamps shall display a red color when lighted.

Side-marker lamps shall display the same color when lighted as the clearance lamps to which they are adjacent.

(4) Any reflector required to be mounted on the sides near the front of a motor vehicle shall reflect a color corresponding to the color of light displayed by the front clearance lamps of the motor vehicle or combination of motor vehicles. Any reflector required to be mounted on the sides near the rear of the motor vehicle shall reflect a red color. Any reflector mounted on the rear of any motor vehicle shall reflect a red color.

(5) Front clearance lamps, side-marker lamps, rear clearance lamps, and tail lamps, when lighted, shall be capable of being seen and distinguished under normal atmospheric conditions during the time when lights are required at a distance of 500 feet from the front, side, and rear of the motor vehicle, respectively.

6. Clearance lamps shall be mounted on the permanent structure of the motor vehicle in such a manner as to indicate its extreme width and as near the top thereof as practicable; provided, however, that where identification or bar lights (three lights in a row, mounted at the top of the cab or body) are located on the front of any motor vehicle, the requirement of this paragraph with regard to maximum height of mounting need not apply. (See diagram H.)

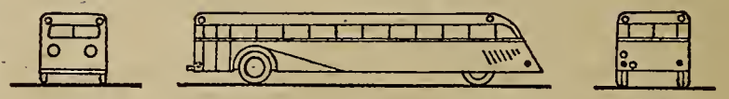
DIAGRAM A.—*Every Bus or Truck Less Than 80 Inches in Over-all Width and Less Than 30 Feet in Over-all Length*

FRONT	SIDE [1]	REAR
2 head lamps, 1 at each side.	1 reflector near the rear (R).	1 tail lamp [2] (R); 1 stop light [2] (R, Y, or A); 2 reflectors, 1 at each side [3] (R).

DIAGRAM B.—*Every Bus or Truck 80 Inches or More in Over-all Width and Less Than 30 Feet in Over-all Length*

FRONT	SIDE [1]	REAR
2 head lamps, 1 at each side; 2 clearance lamps, 1 at side [4 5 6] (A or G).	1 reflector near the rear (R).	1 tail lamp [2] (R); 1 stop light [2] (R, Y, or A); 2 clearance lamps, 1 at each side; [4 5] 2 reflectors, 1 at each side [3] (R).

DIAGRAM C.—*Every Bus or Truck 30 Feet or More in Over-all Lenth*

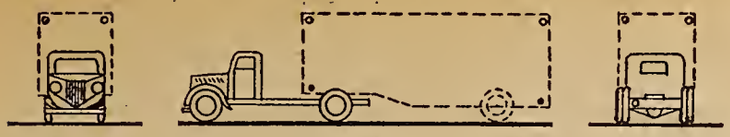


FRONT	SIDE [1]	REAR
2 head lamps, 1 at each side; 2 clearance lamps, 1 at each side [4 5 6] (A or G).	1 side marker lamp near the front; [4 5 7] 1 side marker lamp near the rear [4 5] (R); 1 reflector near the front; [8] 1 reflector near the rear (R).	1 tail lamp [2] (R); 1 stop light [2] (R, Y, or A); 2 clearance lamps, 1 at each side; [4 5] 2 reflectors, 1 at each side [3] (R).

DIAGRAM D (1).—*Every Truck Tractor, the Cab of Which Is as Wide as, or Wider Than, the Trailer Being Towed*

FRONT	SIDE [1]	REAR
2 head lamps, 1 at each side; 2 clearance lamps, 1 at each side; [4 5 6]	1 side marker lamp at or near the front. [4 5 7]	1 taillamp (R).

DIAGRAM D (2).—*Every Truck Tractor, the Cab of Which Is Narrower Than the Trailer Being Towed*

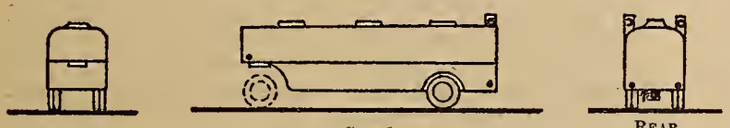


FRONT	SIDE [1]	REAR
2 bead lamps, 1 at each side.	None required.	1 tail lamp (R).

DIAGRAM E (1).—*Every Full Trailer or Semitrailer in Excess of 3,000 Pounds Gross Weight, if Wider Than the Truck or the Cab of the Truck Tractor Towing It*

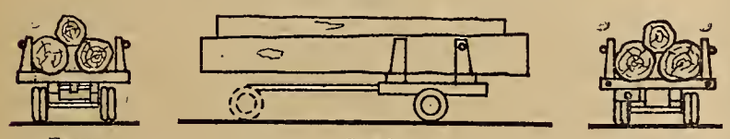
FRONT	SIDE [1]	REAR
2 clearance lamps, 1 at each side.[4 5 6]	1 side marker lamp near the front;[4 5 7] 1 side marker lamp near the rear [4 5] (R); 1 reflector near the front;[8] 1 reflector near the rear (R).	1 tail lamp [2] (R); 1 stop light [2] (R, Y, or A); 2 clearance lamps, 1 at each side;[4 5] 2 reflectors, 1 at each side [3] (R).

DIAGRAM E (2).—*Every Full Trailer or Semitrailer in Excess of 3,000 Pounds Gross Weight, if as Wide as, or Narrower Than, the Truck or the Cab of the Truck Tractor Towing It*



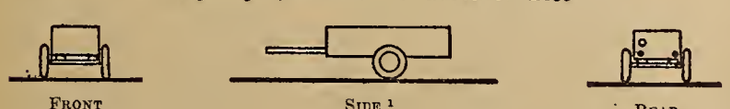
FRONT	SIDE [1]	REAR
None required.	1 side marker lamp near the rear [4 5] (R); 1 reflector near the front;[8] 1 reflector near the rear (R).	1 tail lamp [2] (R); 1 stop light [2] (R, Y, or A); 2 clearance lamps, 1 at each side;[4 5] 2 reflectors, 1 at each side [3] (R).

DIAGRAM F.—*Every Pole Trailer in Excess of 3,000 Pounds Gross Weight*



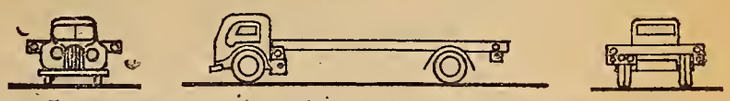
FRONT	SIDE [1]	REAR
None required.	1 combination marker lamp to show toward the front [5 9] (A or G), toward the side (R), and toward the rear (R).	1 tail lamp (R); 2 reflectors, 1 at each side of bolster or load (R).

DIAGRAM G.—*Every Full Trailer, Semitrailer, and Pole Trailer Weighing 3,000 Pounds Gross or Less*



FRONT	SIDE [1]	REAR
None required.	None required.	1 tail lamp [3] (R); 1 stop light [2 11] (R, Y, or A); 2 reflectors, 1 at each side [3 10] (R).

DIAGRAM H.—*Trucks With Other Than Box Type Bodies—No Permanent Part of the Body Above Bed or Platform Level (Illustrative Only, not Designed to Show all Types), 80 Inches or More in Over-all Width and 30 Feet or More in Over-all Length* [12]



FRONT	SIDE [1]	REAR
2 head lamps, 1 at each side; 2 clearance lamps, 1 at each side [4 5 6] (A or G).	1 side marker lamp near the front;[4 5 7] 1 side marker lamp near the rear [4 5] (R); 1 reflector near the front;[8] 1 reflector near the rear (R).	1 tail lamp [2] (R); 1 stop light [2] (R, Y, or A); 2 clearance lamps 1 at each side;[4 5] 2 reflectors, 1 at each side [3] (R).

Symbols:
○ Headlamps.
o Other lamps.
• Reflectors.

Colors.—(R) Red. (Y) Yellow. (G) Green. (A) Amber.

[1] Same for each side.
[2] Stop light and tail lamp may be combined in one housing.
[3] One reflector may be in combination with tail lamp.
[4] Side marker and clearance lamps may be combined.
[5] To be mounted as near the top as the permanent structure of the vehicle permits, unless identification lights (three bar lights in a row) are used, in which case front clearance lamps may be mounted at platform level.
[6] Front clearance lamps on new vehicles shall be amber. Where green is used for front clearance lamps on present equipment, its use is permitted, but any replacement shall be amber.
[7] Side marker lamps near the front shall be the same color as adjacent front clearance lamps.
[8] Side marker reflectors near the front shall be the same color as the front side marker lamps.
[9] Need not be mounted on, but in any case must show toward, the front.
[10] Rear reflectors may be mounted one on each side of bolster or load of a pole trailer.
[11] Stop light on small trailer required if stop light on towing vehicle is obscured.
[12] Same for full trailers and semitrailers of this type except that head lamps are not required.

(7) Stop lights shall be actuated upon application of the service (foot) brake, and shall be capable of being seen and distinguished from a distance of 100 feet to the rear of the motor vehicle in normal daylight; but shall not project a glaring or dazzling light. It is permissible that the stop light be incorporated with the tail lamp.

(8) No reflector required by these regulations shall be mounted upon the motor vehicle at a height to exceed 60 inches, nor less than 24 inches, above the ground upon which the motor vehicle stands; provided that, if the highest part of the permanent structure of a motor vehicle upon which a reflector is required to be mounted is less than 24 inches, the required reflector at such point or points shall be mounted as near the maximum height of that part as such permanent structure will permit. Every reflector shall be of such size and characteristics as to be readily visible at night from all distances within 500 feet to 50 feet from the motor vehicle when directly in front of a normal headlight beam. It is permissible that one of the required red reflectors on the rear of the motor vehicle be incorporated with the tail lamp.

(NOTE.—*Any reflex reflector approved by any of the States listed below, or by any other State having equivalent or superior requirements, or any reflex reflector meeting the requirements as set forth in "S. A. E. Recommended Practice" for reflex reflectors, as promulgated by the Society of Automotive Engineers, shall be deemed to meet the requirements of paragraph (8) with respect to performance characteristics. The listed States are New Hampshire, Massachusetts, Rhode Island, New York, and California.*)

(9) The lighting devices or reflectors required by these regulations shall be mounted, so far as practicable, in such a manner as to reduce the likelihood of their being obscured by mud or dust thrown up by the wheels.

Section B. Brakes

(1) Every bus, truck, and truck tractor shall be equipped with brakes adequate to control the movement of, and to

stop and to hold, such vehicle, including two separate means of applying the brakes. If these two separate means of applying the brakes are connected in any way, they shall be so constructed that failure of any one part of the operating mechanism shall not leave the vehicle without brakes adequate to stop and to hold such vehicle.

(2) Every combination of motor vehicles shall be equipped with brakes upon one or more of such motor vehicles, adequate to stop and to hold such combination of motor vehicles.

(3) Every motor vehicle or combination of motor vehicles, according to its type, shall be capable at all times and under all conditions of loading, of stopping on a dry, smooth, level road free from loose material, upon application of the service (foot) brake, within the distances specified below, or shall be capable of decelerating at a sustained rate corresponding to these distances:

	Feet to stop from 20 miles per hour	Deceleration in feet per second per second [1]
Vehicles or combinations of vehicles having brakes on all wheels	30	14
Vehicles or combinations of vehicles not having brakes on all wheels	45	9.5

[1] Equivalence with stopping distances listed only to the nearest half foot.

(*Note.—The means used for enforcement purposes to determine if a motor vehicle or combination of motor vehicles is in compliance with the provisions of the above paragraph, will be by an instrument or a machine capable of being read in feet to stop from 20 miles per hour, deceleration in feet per second per second, or other equivalent units; the manner of use of these instruments or machines to be prescribed for each type of instrument or machine so used.*)

(4) In any combination of motor vehicles, means shall be provided for applying the rearmost trailer brakes, of any trailer equipped with brakes, in approximate synchronism with the brakes on the towing vehicle and developing the required braking effort on the rearmost wheels at the fastest rate; or means shall be provided for applying braking effort first on the rearmost trailer equipped with brakes; or both of the above means capable of being used alternatively may be employed.

(5) Means of braking, the operating controls of which shall be independent of the operating controls of the service (foot) brake, shall be provided to hold any motor vehicle or combination of motor vehicles stationary on any up or down grade upon which it is to be operated.

Section C. Safety Glass

(1) Whenever glass is replaced in the windshield and in the window next to the driver, in a bus, truck, or truck tractor; or in the doors and rear windows of a bus; or in the rear window of the driving compartment of a truck or truck tractor, the replacement shall be made with safety glass, which shall conform to the requirements contained in the "American Tentative Standard, Safety Code for Safety Glass for Glazing Motor Vehicles Operating on Land Highways, Z 26.1–1935", approved December 30, 1935, by the American Standards Association; provided, however, that "tempered" or "case-hardened" glass shall not be used to meet the requirements of this paragraph.

Section D. Miscellaneous Parts and Accessories

(1) Every motor vehicle having a windshield shall be equipped with at least one device for cleaning rain, snow, or other moisture from the windshield in order to provide clear vision for the driver, which device shall be so constructed as to be controlled or operated by the driver.

(2) Every truck, bus, and truck tractor shall be equipped with at least one rear-vision mirror, firmly attached to the motor vehicle, and so located as to reflect to the driver a view of the highway to the rear.

(3) Every motor vehicle which is equipped with a windshield, when operating under conditions such that ice or frost would be likely to collect on the windshield, shall be equipped with a device or other means for preventing or removing such ice or frost.

(4) Every truck, bus, and truck tractor shall be equipped with a horn and actuating elements which shall be in such condition as to give an adequate and reliable warning signal.

(5) No fuel tank or intake pipe on any motor vehicle shall project beyond the sides of the motor vehicle. In no case shall the fuel tank or fuel intake pipe on any bus be located within or above the passenger-carrying portion of the bus.

(6) Any gasoline tank carried upon a motor vehicle, including any auxiliary tank, shall be of substantial construction, permanently attached to the motor vehicle in a manner similar to that which constitutes good practice in permanent installations.

(7) Every full trailer shall be equipped with a coupling device which shall be so designed and constructed that the trailer will follow substantially in the path of the vehicle drawing it without whipping or swerving from side to side. In addition, every such full trailer shall be coupled with stay chains or cables to the vehicle by which it is being drawn, which chains or cables shall be of sufficient size and strength to prevent parting from the drawing vehicle should the regular coupling device break or become otherwise disengaged.

(8) Every motor vehicle according to its type or character of operation as listed below, shall carry at all times the following emergency parts and accessories, which shall be in proper and effective working order and available for immediate use:

(*a*) On every bus, truck, or truck tractor—

At least one fire extinguisher, of a type inspected and labeled by Underwriters' Laboratories, Inc., under Classification B, and utilizing an extinguishing agent which does not need protection from freezing. (Minimum size: one-quart carbon tetrachloride type, or two-pound carbon dioxide type).
One red lantern, when projecting loads are carried.
One red cloth flag, not less than 12 inches square, when projecting loads are carried.

(*b*) On every bus, truck, or truck tractor operating outside the corporate limits of municipalities—

All items listed under (a) above, and in addition:
At least one spare electric bulb for each kind of electric lamp where such electric lamp is used for any of the lighting devices required by these regulations.
One set of tire chains (for all vehicles likely to encounter conditions requiring them).
At least three flares or three red electric lanterns, unless the motor vehicle is operated solely on streets or highways which are artificially lighted at night; each flare (liquid-burning pot torch) or red electric lantern shall be capable of being seen and distinguished at a distance of 500 feet under normal atmospheric conditions; each flare (pot torch) shall be capable of burning for not less than 12 hours in five miles per hour wind velocity, capable of burning in any air velocities from zero to 40 miles per hour, substantially constructed so as to withstand reasonable shocks without leaking, and shall be carried in a metal rack or box; each red electric lantern shall be capable of operating continuously for not less than 12 hours and shall be substantially constructed so as to withstand reasonable shock without breakage.
At least three red-burning fusees (if carrier elects to carry and use flares as warning signals), unless the motor vehicle is operated solely on streets or highways which are artificially lighted at night; each fusee shall be made in accordance with specifications of the Bureau of Explosives, 30 Vesey Street, New York, N. Y., and so marked, and shall be capable of burning at least 15 minutes.
At least two red-cloth flags, not less than 12 inches square, with standards.

(NOTE.—*Flares (pot torches), fusees, or any signal produced by a flame, shall not be carried or used as warning signals for motor vehicles used in the transportation of inflammable liquids in bulk, and for motor vehicles transporting compressed inflammable gases; but in lieu of such flares and fusees, three red electric lanterns shall be carried and used as warning signals for such vehicles.*)

(c) On every bus having a seating capacity of 10 or more persons and operating outside the corporate limits of municipalities—

All items listed under (a) and (b) above, and in addition:
One metal first-aid-kit, heavy-duty 10-unit type.
One hand axe.

NEW VEHICLES

5. Every new motor vehicle acquired by a motor carrier on and after July 1, 1937, shall conform to the following requirements, in addition to those hereinbefore set forth:

Section A. Lighting Devices

(1) All lights required by these regulations to be permanently affixed to a motor vehicle or combination of motor vehicles shall be electric.

(2) Head lamps shall be of the dual or multiple beam type.

(3) Color of clearance lamps on the front of motor vehicles shall be amber.

Section B. Brakes

(1) Every motor vehicle shall be equipped with brakes on all wheels, excepting any full trailer, semitrailer, or pole trailer of a gross weight not exceeding 3,000 pounds; provided, however, that the gross weight of any such full trailer or 4-wheel pole trailer without brakes shall not exceed 40 percent of the gross weight of the towing vehicle, and that the gross weight of any such semitrailer or two-wheel pole trailer without brakes shall not exceed 40 percent of the gross weight of the towing vehicle when connected to the semitrailer or two-wheel pole trailer.

(2) Every full trailer, semitrailer, and pole trailer, (except those weighing 3,000 pounds gross or less) shall be equipped with brakes of such a character as to be automatically applied upon break-away from the towing vehicle, and means shall be provided to maintain application of the brakes in such case for at least 15 minutes.

Section C. Safety Glass

(1) Wherever glass is used in the windshield and in the window next to the driver in a bus, truck, or truck tractor; or in the doors and rear windows of a bus; or in the rear window of the driving compartment of a truck or truck tractor, it shall be safety glass which shall conform to the requirements contained in the "American Tentative Standard, Safety Code for Safety Glass for Glazing Motor Vehicles Operating on Land Highways, Z 26.1–1935", approved December 30, 1935, by the American Standards Association; provided, however, that "tempered" or "case-hardened" glass shall not be used to meet the requirements of this paragraph.

PART IV. REPORTING OF ACCIDENTS

Regulations prescribed under authority of the Motor Carrier Act, 1935, particularly section 204 (a), (1) and (2), with respect to reports of accidents involving motor vehicles operated in interstate or foreign commerce by common and contract carriers, except motor vehicles engaged in operations specified in section 203 (b) of said act. Regulations effective April 1, 1937

Accident reports made by motor carriers in compliance with these regulations shall be for the information of the Commission, and shall not be open to public inspection.

1. Every motor carrier shall mail to the district director, Bureau of Motor Carriers, for the district in which such motor carrier is domiciled, a report in writing as to every accident in which any motor vehicle operated by him or it is involved and from which there results the death of any person, personal injury requiring medical attention, or property damage to an apparent extent amounting to $100 or more, within 10 days after the date of such accident.

Such report shall include the following information:

(*a*) Date, hour, and exact location of the accident.

(*b*) Name and address of the reporting carrier, with identifying number assigned to the carrier by the Interstate Commerce Commission, and signature and title of person making report.

(*c*) Type of motor vehicle involved.

(*d*) Number of persons killed or injured, with statement as to whether injuries are of serious or minor nature; and

(*e*) Estimated amount of property damage.

2. A further detailed report as to each reportable accident shall be furnished promptly by the motor carrier upon demand, using for this purpose a form to be sent to him by the Bureau of Motor Carriers.

3. Whenever the death of any person results from such accident after the time the motor carrier submits report of the accident to the district director, as required by paragraphs 1 and 2 of this section, notice of such death shall be given by the motor carrier in writing to the said district director, as soon as such death is known to the motor carrier, with sufficient information to identify the accident from which the death resulted.

4. Every motor carrier shall make available to the duly authorized representative or representatives of the Interstate Commerce Commission all records which in any way pertain to any reportable accident and shall afford all reasonable assistance in the investigation of any such accident.

OFFICES OF DISTRICT DIRECTORS

The offices of the district directors, Bureau of Motor Carriers, Interstate Commerce Commission, are as follows:

North Station Industrial Building, Inc., 150 Causeway Street, Boston, Mass.
Western Union Building, 60 Hudson Street, New York, N. Y.
1008 Gimbel Building, Ninth and Chestnut Streets, Philadelphia, Pa.
Law and Finance Building, 429 Fourth Avenue, Pittsburgh, Pa.
1313 Independence Building, 100 Trade Street, Charlotte, N. C.
308 Austell Building, 10 Forsyth Street, Atlanta, Ga.
1015 Stahlman Building, Third Avenue North and Union Street, Nashville, Tenn.
Transportation Building, 608 South Dearborn Street, Chicago, Ill.
910 McKnight Building, Second Avenue South and Fifth Street, Minneapolis, Minn.
Carbide and Carbon Building, 912 Baltimore Avenue, Kansas City, Mo.
906 Wallace Building, 105 Main Street, Little Rock, Ark.
Electric Building, West Seventh and Lamar Streets, Fort Worth, Tex.
Equitable Building, 724 Seventeenth Street, Denver, Colo.
Continental Bank Building, 200 South Main Street, Salt Lake City, Utah.
323 Pittock Building, 921 S. W. Washington Street, Portland, Oreg.
114 U. S. Customs Building, San Francisco, Calif.

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 23d day of December A. D. 1936.

[Ex Parte No. MC–4]

IN THE MATTER OF QUALIFICATIONS OF EMPLOYEES AND SAFETY OF OPERATION AND EQUIPMENT OF COMMON CARRIERS AND CONTRACT CARRIERS BY MOTOR VEHICLE SUBJECT TO THE MOTOR CARRIER ACT, 1935

It appearing, That by order dated August 21, 1936,[1] the Commission, by division 5, entered upon an investigation

[1] 1 F. R. 1396.

into and concerning the matter of qualifications of employees and safety of operation and equipment of common carriers and contract carriers subject to the Motor Carrier Act, 1935;

It further appearing, That a full investigation of the matters and things involved has been had and that the Commission, by division 5, on the date hereof, has made and filed a report containing its findings of fact and conclusions thereon, which said report is hereby referred to and made a part hereof:

It is ordered, That the rules and regulations printed as the appendix to said report be, and they are hereby approved, adopted, and prescribed. From and after April 1, 1937, Part IV of said rules and regulations relating to the "Reporting of Accidents" shall be effective and observed by common carriers and contract carriers subject to the Motor Carrier Act, 1935, except as to the special operations set forth in section 203 (b) thereof; and from and after July 1, 1937, Part I of the said rules and regulations relating to the "Qualifications of Drivers", Part II of the said rules and regulations relating to the "Driving of Motor Vehicles", and Part III of said rules and regulations relating to "Parts and Accessories Necessary for Safe Operation", shall be effective and observed by common carriers and contract carriers subject to the Motor Carrier Act, 1935, except as to the special operations set forth in section 203 (b) thereof.

By the Commission, division 5.

[SEAL] GEORGE B. MCGINTY, *Secretary.*

[F. R. Doc. 37–187; Filed, January 19, 1937; 12:14 p. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 19th day of January A. D. 1937.

IN THE MATTER OF THE FILING OF CONTRACTS BY CONTRACT CARRIERS BY MOTOR VEHICLE

The matter of requiring contract carriers by motor vehicle subject to the Motor Carrier Act, 1935, to file with the Commission copies of their contracts with shippers relating to traffic affected by the provisions of said Act being under consideration:

It appearing, That the filing, by every contract carrier by motor vehicle of the classes hereinafter described, of copies of contracts containing the charges of such carriers for the transportation of property in interstate or foreign commerce, and any rule, regulation or practice affecting such charges and the value of the service thereunder, is, in the judgment of the Commission, necessary and desirable in the public interest, in view of the special nature of the services performed by such carriers, and by reason of the competitive situation now existing between such carriers and common carriers by motor vehicle; and that future consideration will be given to extending the provisions of this order to classes of contract carriers by motor vehicle not herein specified as and when need therefor is disclosed:

It is ordered, That every contract carrier of property included in the following classes or groups of line-haul or over-the-road contract carriers by motor vehicle subject to the provisions of the Motor Carrier Act, 1935, namely

1. Carriers of general commodities or any class or classes thereof, except commodities, other than those specified below, requiring special equipment;
2. Carriers of household goods, office furniture, and office fixtures and equipment;
3. Carriers of automobiles;
4. Carriers of moving picture films, accessories and theater supplies;
5. Carriers of refrigerated products, other than liquids in tank trucks,

shall, on or before February 1, 1937, file with the Commission, publish and keep open for public inspection, in the form and manner prescribed in Tariff Circular MF No. 1, as amended, so far as the provisions of said circular are applicable, copies of each and every contract existing and in force on said date containing the charges of such contract carriers for the transportation of property in interstate or foreign commerce, and any rule, regulation, or practice affecting such charges and the value of the service thereunder, and that the contracts so filed by any such contract carrier shall be in lieu of any schedule or schedules theretofore filed by such contract carrier, and the filing of such contracts shall cancel any such schedule or schedules. The term "line-haul" or "over-the-road" contract carriers, as used herein, means all contract carriers other than those who operate wholly within a municipality, or between contiguous municipalities, or between such municipality or municipalities and zones adjacent thereto and commercially a part thereof;

It is further ordered, That every such contract of any such contract carrier, entered into or effective on or after February 1, 1937, shall be filed, published and kept open to public inspection as herein required in relation to existing contracts, in the form and manner prescribed in Tariff Circular MF No. 1, as amended, so far as the provisions of said circular are applicable;

It is further ordered, That in each case in which any such contract is an oral one, the contract carrier who or which is party thereto shall prepare a memorandum containing an accurate and complete statement of the substance and terms of such contract, including the charges for transportation services performed or to be performed thereunder, and any rule, regulation, or practice affecting such charges and the value of such services, and shall cause to be endorsed thereon the written acknowledgment of each party to such contract that such memorandum contains an accurate and complete statement of the terms of such contract, and such memorandum so endorsed shall be filed with the Commission, published and kept open for public inspection in accordance with the provisions herein contained with respect to written contracts;

It is further ordered, That, in accordance with the provisions of Section 218 of said Act, contracts filed on or before February 1, 1937, shall become effective when filed with the Commission; that contracts reducing charges specified in prior contracts and filed subsequent to February 1, 1937, shall provide thirty days' notice of their effective date unless otherwise authorized by the Commission; and that contracts renewing, or establishing increases in, charges specified in prior contracts, or establishing charges for new services, may become effective when filed;

It is further ordered, That the original and corrected orders of July 11, 1936, as amended,[1] relating to the subject matter hereof, be and they are hereby, vacated and set aside;

And it is further ordered, That notice of this order be given to all contract carriers by motor vehicle subject to the said Act and to the public by depositing a copy of this order in the office of the Secretary of the Commission at Washington, D. C.

By the Commission, division 5.

[SEAL] GEORGE B. MCGINTY, *Secretary.*

[F. R. Doc. 37–196; Filed, January 21, 1937; 11:52 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

SECURITIES ACT OF 1933

SECURITIES EXCHANGE ACT OF 1934

HOLDING COMPANY ACT

AMENDMENTS TO RULES OF PRACTICE

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Securities Act of 1933, as amended, particularly Section 19 (a) thereof, the Securi-

[1] 1 F. R. 989, 1036, 2032.

ties Exchange Act of 1934, particularly Section 23 (a) thereof, the Public Utility Holding Company Act of 1935, particularly Section 20 (a) thereof, and finding that it is necessary to carry out the provisions of the Securities Act of 1933, as amended, and the Public Utility Holding Company Act of 1935, and that it is necessary for the execution of the functions vested in the Commission by the Securities Exchange Act of 1934, hereby amends Rule IV of the Rules of Practice of the Commission by adding thereto the following paragraphs:

"(f) Subpoenas requiring the attendance of witnesses from any place in the United States at any designated place of hearing may be issued by any member of the Commission or any officer designated by it for that purpose in connection with any hearing ordered by the Commission, upon written application therefor.

"(g) Subpoenas for the production of documentary evidence will issue only upon application in writing which must specify, as nearly as may be, the documents desired and the facts to be proved by them, provided, however, that nothing herein shall be deemed to require the issuance of any subpoena compelling the production of immaterial documentary evidence.

"(h) Witnesses summoned before the Commission shall be paid the same fees and mileage that are paid to witnesses in the courts of the United States, and witnesses whose depositions are taken and the persons taking the same shall severally be entitled to the same fees as are paid for like services in the courts of the United States. Witness fees and mileage shall be paid by the party at whose instance the witnesses appear."

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 37–197; Filed, January 21, 1937; 12:33 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 18th day of January 1937.

IN THE MATTER OF THE PROCEEDING BEFORE THE SECURITIES AND EXCHANGE COMMISSION TO DETERMINE WHETHER W. E. HUTTON & CO., A PARTNERSHIP CONSISTING OF JAMES M. HUTTON, JAMES M. HUTTON, JR., JOHN CHRISTIE DUNCAN, CHARLES N. FOSTER, JOSEPH A. HALL, CARROLL V. GERAN, GEORGE C. RILEY, W. E. HUTTON II, C. KENNETH SMITH AND JOSEPH A. W. IGLEHART, AS PARTNERS; JOHN CHRISTIE DUNCAN, CARROLL V. GERAN, W. E. HUTTON II, H. H. MICHELS SHOULD BE SUSPENDED OR EXPELLED FROM MEMBERSHIP ON CERTAIN NATIONAL SECURITIES EXCHANGES, PURSUANT TO SECTION 19 (A) (3) OF THE SECURITIES EXCHANGE ACT OF 1934

ORDER CHANGING DATE FOR HEARING

The Commission having heretofore, on November 13, 1936,[1] ordered that a hearing under Section 19 (a) (3) of the Securities Exchange Act of 1934, as amended, be held in the above entitled matter on December 7, 1936, at 10 o'clock A. M. at the office of the Securities and Exchange Commission, 1778 Pennsylvania Avenue, N. W., Washington, D. C., and having designated Edward C. Johnson, an officer of the Commission, to take testimony therein, which date for hearing was heretofore postponed to January 25, 1937; and

Counsel for the respondents having requested the further postponement of such hearing;

It is ordered that the hearing heretofore set down in such order of November 13, 1936, be held on February 8, 1937, at 10 o'clock a. m. at the office of the Securities and Exchange Commission, 1778 Pennsylvania Avenue, N. W., Washington, D. C., or as soon thereafter as counsel can be heard.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 37–198; Filed, January 21, 1937; 12:33 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 19th day of January A. D. 1937.

[File No. 2–127]

IN THE MATTER OF CONSOLIDATED MINES SYNDICATE

ORDER FIXING TIME AND PLACE OF HEARING UNDER SECTION 8 (D) OF THE SECURITIES ACT OF 1933, AS AMENDED, AND DESIGNATING OFFICER TO TAKE EVIDENCE

The Commission having heretofore, on January 12, 1937[1] ordered that a hearing under Section 8 (d) of the Securities Act of 1933, as amended, be held in this matter on January 25, 1937; and

The registrant having requested a postponement of such hearing,

It is ordered that such hearing be convened on Monday, February 8, 1937, at 10 o'clock in the forenoon, at the Federal Building, Boise, Idaho, and continue thereafter at such time and place as the officer hereinafter designated may determine; and

It is further ordered that Foster Cline, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

Upon the completion of testimony in this matter, the officer is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 37–199; Filed, January 21, 1937; 12:33 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 18th day of January A. D. 1937.

[File No. 2–2725]

IN THE MATTER OF EASTERN CONSOLIDATED GAS COMPANY

ORDER FIXING TIME AND PLACE OF HEARING UNDER SECTION 8 (D) OF THE SECURITIES ACT OF 1933, AS AMENDED, AND DESIGNATING OFFICER TO TAKE EVIDENCE

It appearing to the Commission that there are reasonable grounds for believing that the registration statement filed by Eastern Consolidated Gas Company under the Securities Act of 1933, as amended, includes untrue statements of material facts and omits to state material facts required to be stated therein and material facts necessary to make the statements therein not misleading,

It is ordered that a hearing be held, pursuant to the provisions of Section 8 (d) of said Act as amended, such hearing to be convened on February 1, 1937, at 10:30 o'clock in the forenoon, in Room 1101, Securities and Exchange Commission Building, 1778 Pennsylvania Avenue NW., Washington, D. C., and to continue thereafter at such time and

[1] 1 F. R. 2333.

[1] 2 F. R. 93.

place as the officer hereinafter designated may determine; and

It is further ordered that Charles S. Moore, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

Upon the completion of testimony in this matter, the officer is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 37–201; Filed, January 21, 1937; 12:34 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 18th day of January A. D. 1937.

[File No. 2–2324]

IN THE MATTER OF THE PETERSEN ENGINE COMPANY, INC.

ORDER FIXING TIME AND PLACE OF HEARING UNDER SECTION 8 (D) OF THE SECURITIES ACT OF 1933, AS AMENDED, AND DESIGNATING OFFICER TO TAKE EVIDENCE

It appearing to the Commission that there are reasonable grounds for believing that the registration statement filed by The Petersen Engine Company, Inc. under the Securities Act of 1933, as amended, includes untrue statements of material facts and omits to state material facts required to be stated therein and material facts necessary to make the statements therein not misleading.

It is ordered that a hearing be held, pursuant to the provisions of Section 8 (d) of said Act as amended, such hearing to be convened on Monday, January 25, 1937, at 10 o'clock in the forenoon, at the Regional Office, Securities and Exchange Commission, 120 Broadway, New York, New York, and to continue thereafter at such time and place as the officer hereinafter designated may determine; and

It is further ordered that John F. Davidson, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

Upon the completion of testimony in this matter, the officer is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 37–200; Filed, January 21, 1937; 12:34 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 19th day of January A. D. 1937.

[File No. 43–25]

IN THE MATTER OF DERBY GAS & ELECTRIC CORPORATION (DECLARATION PURSUANT TO SECTION 7 OF THE PUBLIC UTILITY HOLDING COMPANY ACT OF 1935)

ORDER CONSENTING TO WITHDRAWAL OF DECLARATION AT DECLARANT'S REQUEST

The Commission, having due regard to the public interest and the interest of investors and consumers, upon the request of the above named declarant hereby consents to the withdrawal of declarant's declaration pursuant to Section 7 of the Public Utility Holding Company Act of 1935 regarding the issue and sale by declarant of a 5% Collateral Judgment Demand Note in the face amount of $5,000,000, and to that effect

It is so ordered.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 37–202; Filed, January 21, 1937; 12:34 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 19th day of January A. D. 1937.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE SKELLY-HUMBLE-ADKINS FARM, FILED ON JANUARY 5, 1937, BY GRIMES BROS. ROYALTY CO., RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet filed with the Commission, which is the subject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding;[1]

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on January 16, 1937, be effective as of January 16, 1937; and

It is further ordered that the Suspension Order, Order for Hearing and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same hereby are revoked and the said proceeding terminated.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 37–203; Filed, January 21, 1937; 12:34 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 19th day of January A. D. 1937.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE SHELL-PHILLIPS-EGERMIER FARM, FILED ON JANUARY 4, 1937, BY L. H. WITWER, RESPONDENT.

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet filed with the Commission, which is the subject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding; [2]

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on January 18, 1937, be effective as of January 18, 1937; and

It is further ordered that the Suspension Order, Order for Hearing and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same hereby are revoked and the said proceeding terminated.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 37–204; Filed, January 21, 1937; 12:34 p. m.]

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[1] 2 F. R. 94.
[2] 2 F. R. 86.

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 19th day of January A. D. 1937.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE SAMEDAN ET AL. BATES FARM, FILED ON JANUARY 13, 1937, BY ARTHUR SORY, RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)) AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

(1) In that the name "Westheimer" is included in the firm name in the caption of the sheet. This ground is based upon Item 17, Division II, and Exhibit A.

(2) In that the date in Division I when the information contained in the sheet will be out of date is miscalculated, based upon Items 15 and 16 (a), Division II.

(3) In that the participation of each smallest interest offered is omitted from Item 1, Division II.

(4) In that Item 2 (d), Division II, as well as Item 17 and Exhibit A, indicates that the tract operated by Westheimer is not included in this offering.

(5) In that the total given in Item 15, Division II, is in conflict with the aggregate of the figures given in Item 16 (a), Division II.

(6) In that Items 17 (d), (e) and (f), Division II, are omitted.

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 18th day of February 1937 that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered that Charles S. Lobingier, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered that the taking of testimony in this proceeding commence on the 2d day of February 1937 at 9:30 o'clock in the forenoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 37–205; Filed, January 21, 1937, 12:35 p. m.]